



CONNECTICUT

**TESTIMONY OF
NATIONAL FEDERATION OF INDEPENDENT BUSINESS
BY
ANDY MARKOWSKI, CONNECTICUT STATE DIRECTOR
SUPPORTING SB-1030
BEFORE THE
JUDICIARY COMMITTEE
MARCH 20, 2009**

The National Federation of Independent Business (NFIB), Connecticut's and the nation's leading small-business advocacy association, respectfully submits the following comments supporting the aforementioned bill:

The bill allows defendants to apportion liability to a person after the plaintiff withdraws a civil action against the person. Currently, law allows defendants to apportion liability to a person with whom the plaintiff has settled or released from liability.

Extending the apportionment of liability after a claim is withdrawn will ensure that defendants are not liable for the proportionate share of a plaintiff's damages when they were not responsible. This will afford much needed to protections to small businesses that may be subject to civil actions. Apportionment of liability and thus economic damages, helps ensure that perceived "deep-pocketed" defendants do not pay a disproportionate amount of damages.

The type of liability reform contained in SB-1030 would inject a measure of fairness into a legal system that currently preys on small business, often without regard to legal merit. NFIB therefore asks you to support SB-1030. Thank you.